

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA**

UNITED STATES OF AMERICA,)	
PLAINTIFF,)	
)	
VS.)	CASE NO. 2:05-CR-171-C
)	
CALVIN ARTIS STEWART,)	
DEFENDANT.)	

**MOTION FOR WITHDRAWAL OF COUNSEL AND CONTINUANCE OF
SENTENCING DATE**

COMES NOW John R. Walker, Counsel for the Defendant Calvin Artis Stewart and hereby moves this Court to (1) grant his Motion to Withdraw as Counsel for the Defendant and (2) continue the sentencing date, and for reasons states the following :

1. That the Defendant entered a guilty plea in this case on February 6, 2006 and sentencing is set for June 29, 2006.
2. That the Defendant and Counsel have developed such serious differences that they can no longer effectively communicate with each other concerning the sentencing hearing.
3. That the Defendant has been employed during these proceedings and is able to afford the services of another attorney, and it would be in the Defendant's immediate best interests to retain other counsel.
4. That since less than one week remains until the sentencing date, counsel moves for a continuance of the sentencing hearing to allow the Defendant to retain other counsel and to permit new counsel the time necessary to prepare for the hearing.
5. That there can be no great prejudice to the United States of America in granting this Motion to Withdraw as counsel and it would be of great prejudice to the Defendant

to deny this motion as it would force him to go forward in this matter represented by counsel with whom he is in serious disagreement.

WHEREFORE, Counsel for the Defendant respectfully request that this Motion be Granted and that he be allowed to withdraw as attorney for the Defendant and that the sentencing hearing be continued to allow the defendant time to retain other counsel.

Respectfully submitted this the 23^d day of June, 2006.

s/ John R. Walker
John R. Walker
Alabama Bar No. WAL-135
P.O. Box 3041
Montgomery, Alabama 36109-3041
334-538-3768

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Amended Joint Motion to Withdraw As Counsel with the clerk of the court using cm/ecf system which will send notification of such filing electronically to: The Hon. Kent Brunson, Assistant U.S. Attorney and Calvin Artis Stewart, Defendant, 3314 Mace Street, Montgomery, Alabama by placing a copy in the United States Mail, first class, postage prepaid and properly addresses on the 23rd day of June, 2006.

/s/ John R. Walker

John R. Walker

Alabama Bar No. WAL-135

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